

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – February 27, 2009
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:00 a.m. and adjourned at 11:00 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Commissioners Absent: Day

Advisors Present: Sinsay (DPW); Taylor (OCC)

Staff Present: Beddow, Ehsan, Farace, Gibson, Giffen, Grunow, Loy, Lubich, Maxson, Murphy, Muto, Rowan, Slovick, Smith, Winslow, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of February 13, 2009.

These Minutes are trailed to allow review by Commissioner Beck.

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance: Item 3 (TPM 20725)

F. Formation of Consent Calendar: Items 1 (removed from today's Agenda); Item 5 (P07-004)

Administrative:

G. Director's Report:

- **2009 Planning Commission Chair/Vice Chair**

Chairwoman Jacob is in attendance today to swear in Bryan Woods as the 2009 Planning Commission Chairman, and to thank Chairman Woods for his years of service and dedication.

- **Informational Item: Staff presentation on fire code requirements for secondary access and approach to assure compliance.**

Staff provides a report on Fire Code provisions and issues such as fire service response time, water availability and pressure, irrigation restrictive construction, vegetation clearing and site access, all of which are reviewed when land development proposals are submitted to DPLU. Many of today's audience members maintain that secondary access is not a requirement of the Fire Code or Title 14, only the County of San Diego. They insist that Staff must develop specific criteria and alternatives for those land development proposals in which secondary access is not an option. Many of the audience members allege that they were not made aware of this requirement until very late in the application processing stage. They remind the Commission that much of the County has already been developed with dead-end roads or without secondary access, and urge the Commission to remand the report back to Staff for further resolution of their concerns. Commissioners Woods and Brooks are confident Staff can develop practical solutions for some of the projects already in-house and the issues raised today, while also taking local wildfire issues into consideration.

- **Oral report on upgrading the hearing room infrastructure to improve the quality of audio and video capture and display (Winslow)**

Staff provides a visual and oral presentation on DPLU Hearing Room upgrades to be implemented late March, 2009.

Administrative:

- **Results from Board of Supervisors' Hearing(s) of Items Previously Considered by the Planning Commission (Gibson)**

At their February 25, 2009 meeting, the Board of Supervisors approved Staff's recommendations on the MET, and determined the towers shall be with the issuance of an Administrative Permit. The Board of Supervisors also supported the Planning Commission's approval of the T.E.R.I. project. With respect to the MET towers, Commissioner Beck explains that his main concern was and is the lack of a comprehensive plan to address all potential impacts with regard to the exploration, utilization and/or development of renewable energy sources in the back country. Commissioner Beck observes that the General Plan Update cannot be completed without acknowledging that this is an issue. He also believes locating the MET towers in the back country will introduce growth-inducing impacts. Commissioner Norby concurs with Commissioner Beck and would like to know what other Counties have done to lessen these impacts.

- **Update on Spring Zoning Ordinance Amendments and Water Conservation Landscape Ordinance (Farace)**

Postponed until March 13, 2009.

GPA 05-010, SP 03-003, R04-008,
TM 5295RPL⁶ and S04-015, Agenda Item 1:

1. Sugarbush, GPA 05-010, SP 03-003, R04-008, TM 5295RPL⁶, and S04-015, North County Metropolitan Subregional Plan Area (continued from February 13, 2009)

Proposed development of 45 residential lots on a 115.5-acre project site located at the southern terminus of Sugarbush Drive, and western terminuses of Cleveland Trail and Lone Oak Lane. Access to the site is proposed via Sugarbush Drive with an emergency secondary access via Cleveland Trail. The project includes five discretionary permit applications as follows: a General Plan Amendment (GPA 05-010) would change the Land Use Designation on this property from (17) Estate to (21) Specific Plan. Specific Plan 03-003 would limit overall density on the project site to 0.39 dwelling units per acre, in addition to requiring minimum lot sizes of 0.5 acres, limiting the project site to no more than 45 residential lots, requiring portions of the site that exceed 25% slope to be placed in permanent open space, and requiring a 500-foot buffer from the eastern property boundary. Zone Reclassification R04-008 would change the zoning classification of the site from A70 (Limited Agriculture) to S88 (Specific Plan), reduce the density from 0.5 to 0.39 dwelling units per acre, reduce the minimum lot size from 2 acres to 0.5 acres, change the height designator from "G" to "E", and change the setback designator from "C" to "V". Tentative Map 5295RPL⁶ would divide the 115.5 acres 45 residential lots ranging in area from 0.5 to 1.73 acres, two open space lots (Lots A and B) totaling 75.38 acres, two street lots (Lots C and D) and two detention/bioretenction lots (Lots E and F). Site Plan S04-015 would establish the setbacks for the proposed residential lots pursuant to the "V" (Variable) setback designator.

Staff Presentation: Hingtgen

Proponents: 0; Opponents: 0

It is requested that this Item be removed from today's Agenda to allow further resolutions of issues raised at the February 13, 2009 Planning Commission.

**GPA 05-010, SP 03-003, R04-008,
TM 5295RPL⁶ and S04-015, Agenda Item 1:**

Action: Beck – Riess

Remove GPA 05-010, SP 03-003, R04-008, TM 5295RPL⁶ and S04-015 from today's Planning Commission Agenda. Staff will readvertise this Item for consideration at a public hearing when a new hearing date has been determined.

Ayes:	6 -	Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Day

TM 5184E, Agenda Item 2:**2. Sukup Expired Tentative Map, TM 5184E, Valley Center Community Plan Area**

The project is an Expired Map for a major subdivision, TM 5184, that was approved on June 10, 2004 and expired on June 10, 2007. The project proposes to subdivide 24.62 gross acres into 9 single-family residential lots ranging in size from 2.02 to 2.90 net acres. The project site is located within the Estate Development Area (EDA) Regional Category and the (17) Estate Residential Land Use Designation of the General Plan. The project site is zoned (A70) Limited Agriculture Use Regulation which requires a minimum net lot size of 2 acres. The project site is located on the east side of Rodriguez Road within the Valley Center Community Planning Area in a portion of unincorporated San Diego County. Access to the lots will be from a proposed 40-foot private road easement off of Rodriguez Road. A Biological Open Space Easement and Limited Building Zone will be dedicated over the northern portion of the property for protection of the RPO wetland. The grading plan indicates 15,850 cubic yards of cut and 18,500 cubic yards of fill for an import of 2,650 cubic yards. Water service would be provided by the Valley Center Municipal Water District and sewer by individual septic systems. The project includes off-site improvements to Rodriguez Road up to Covey Lane, and Covey Lane to West Lilac Road.

Staff Presentation: Ehsan

Proponents: 0; **Opponents:** 0

Discussion:

Commissioner Beck believes the proposed open space signage language space should be revised to specify what is and is not allowed, and Commissioner Pallinger agrees. Commissioner Beck inquires why a mitigation bank is being proposed to mitigate biological impacts. Staff explains that the existing habitat is not of high quality and is not connected to any other habitat.

Action: Beck – Riess

Adopt the Director's Decision approving TM 5184E with an expiration date of June 10, 2010

TM 5184E, Agenda Item 2:

Ayes: 6 - Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 1 - Day

Action: Beck – Pallinger

Staff is to provide language clarifications regarding the uses allowed in conservation easements and open space easements.

Ayes: 6 - Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 1 - Day

TPM 20725, Agenda Item 3:**3. Ruffin/Johnson, Tentative Parcel Map (TPM) 20725, Pala-Pauma Community Plan Area**

This is an appeal of a decision by the Director of Planning and Land Use to deny Tentative Parcel Map (TPM) 20725 because the applicant failed to provide an acceptable fire protection plan. Specifically, the project does not include secondary access as required by State law (California Code of Regulations Title 14) and the County Fire code. Also, the project site, located near the terminus of Rancho Heights Road in the Pala-Pauma Community Plan Area, cannot be served within the General Plan emergency travel time limit. The applicant proposes to subdivide 73.8 acres into 4 residential parcels, including a remainder parcel. The project site is subject to the (18) Multiple Rural Land Use Designation, and is zoned (A70), Limited Agricultural zone. This item was originally heard by the Planning Commission on July 25, 2008. At that time, the Commission gave the applicant a six month period to resolve the secondary access and response time issues. The applicant submitted no new information to DPLU since the July 2008 hearing.

Staff Presentation: Smith

Proponents: 0; **Opponents:** 0

Discussion:

Staff requests that the Planning Commission postpone consideration of this Item to await receipt of information requested by the Planning Commission on July 25, 2008.

Action: Beck – Riess

Continue consideration of TPM 20725 to the meeting of March 13, 2009.

Ayes:	6 -	Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Day

GPA 06-003, R06-006, Agenda Item 4:**4. Linea del Cielo, General Plan Amendment GPA 06-003, Rezone R06-006, San Dieguito Community Plan Area**

The project is a General Plan Amendment (GPA 06-003) and Rezone (06-006) to amend the existing land use designation and zoning use regulation on two vacant parcels to accommodate a single family residence and guest living quarters. The GPA and Rezone are proposed concurrently with a Boundary Adjustment with a Certificate of Compliance (BC05-0104), which proposes to grant 0.73 acres of area to the Rancho Santa Fe Foundation "Ewing Preserve" in exchange for 0.71 acres of developable area. The proposed boundary adjustment will result in a split zoned parcel subject to the RR.5, Rural Residential Use Regulations and S80, Open Space Use Regulations; therefore, a GPA and Rezone are required so that the proposed property lines match the General Plan and Zoning Use Regulation boundaries. The project is located at 5853 Linea del Cielo in Rancho Santa Fe, within the San Dieguito Community Plan Area, north of Via de La Valle off of La Gracia approximately a quarter mile west of the center of downtown Rancho Santa Fe.

Staff Presentation: Slovick

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Riess

Recommend that the Board of Supervisors adopt the Resolution approving GPA 06-003, and adopt the Ordinance changing the classification of certain property in the San Dieguito Community Plan Area (ref: R06-006).

Ayes:	6 -	Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Day

P07-004, Agenda Item 5:**5. Puerta La Cruz Telecommunications Facility, Major Use Permit P07-004, North Mountain Subregional Plan Area**

The project requests a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility. The facility will consist of up to three (3) wireless carriers co-locating on a 50-foot high faux cross-arm utility pole to which up to twelve (12) panel antennas will be mounted and the associated equipment. The project is subject to the Rural Development Area (RDA) General Plan Regional Category, (22) Public/Semi Public Lands Land Use Designation, and is zoned A72 (General Agriculture). The project site is located between Warner Springs and Holcomb Village on Highway 79 within the North Mountain Subregional Plan Area which is located in unincorporated portion of San Diego County.

Staff Presentation: Lubich

Proponents: 0; **Opponents:** 0

This Item is approved on consent.

Grant Major Use Permit P07-004, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Day

P07-004, Agenda Item 5:

H. Report on actions of Planning Commission's Subcommittees:

No reports.

I. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

Commissioner Day will represent the Planning Commission at the March 3, 2009 Board of Supervisors meeting.

J. Discussion of correspondence received by the Planning Commission:

None.

K. Scheduled Meetings:

March 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 27, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 8, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 22, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 5, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 10, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 24, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 7, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 21, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

TM 5184E, Agenda Item 2:

September 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 19, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 2, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 16, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 30, 2009	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
November 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 18, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 11:00 a.m. to 9:00 a.m. on March 13, 2009 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.